

92 RF 4843

EG&G ROCKY FLATS

EG&G ROCKY FLATS, INC.

ROCKY FLATS PLANT, P.O. BOX 464, GOLDEN, COLORADO 80402-0464 • (303) 966-7000

April 22, 1993

A. H. Pauole
Acting Manager
DOE, RFO

Attn: M. E. Van Der Puy

MIGRATORY BIRD NESTS AND OTHER USFWS CONCERNS - GHS-185-93

It has recently come to the attention of EG&G's Ecology and NEPA Division (END) that, swallow nests built on the guard towers had been removed by Wackenhut personnel. The removal of inactive bird nests during the winter is not a problem, however, destruction or removal of active bird nests during the breeding season is a violation of the Migratory Bird Treaty Act. Such a violation can carry criminal or civil penalties such as fines and jail terms. There are no exceptions to this law other than those for which a specific permit has been obtained.

With the spring bird breeding season coming, EG&G feels that it is necessary to notify personnel who might be involved in activities that impact nesting birds. EG&G will notify its field and maintenance personnel that active bird nests may not be destroyed or removed. EG&G requests that DOE notify Wackenhut personnel of this fact as well.

In other business dealing with US Fish and Wildlife (USFWS) concerns, EG&G recommends that DOE submit a letter to the USFWS requesting permission to pursue planned OU3 activities. Per the April 12, 1993 letter transmitting the Colorado Bird Observatory (CBO) bald eagle report, and subsequent communications between EG&G and the CBO, the bald eagles are no longer in the vicinity of Standley Lake. In a telephone conversation with EG&G personnel on April 20, 1993, Lee Carlson, USFWS, indicated that he felt it was now appropriate for DOE to submit a letter to the USFWS stating a finding of "no affect" for the proposed spring OU3 activities, and requesting permission to proceed. The USFWS does not intend to send a letter to DOE stating the eagles have left.

Should you have any comments or questions, please contact Steve Nesta at X8605, or Dick Flory at X8680.


G. H. Setlock, Director
Environmental Protection Management

MBM:mad

Orig. and 1 cc - A. H. Pauole

cc: R. L. Craun R. J. Schassburger
R. J. Levermier B. K. Thatcher
F. R. Lockhart V. F. Witherill

ADMIN RECORD



DIST.	ITH	ENC
JENEDETTI, R.L.	X	
JENJAMIN, A.		
JERMAN, H.S.		
JRANCH, D.B.		
JARNIVAL, G.J.		
JAVIS, J.G.		
JERRERA, D.W.		
JANNI, B.J.		
JARMAN, L. K.		
JEALY, T.J.		
JEDAHIL, T. G.	X	
JILBIG, J.G.		
JEKER, F.H.		
KIRBY, W.A.		
KUESTER, A.W.		
KEE, E.M.		
KANN, H.P.		
KARX, G.E.		
KCDONALD, M.M.		
KCKENNA, F.G.		
KONTROSE, J.K.		
KORGAN, R.V.		
POTTER, G.L.	X	
PIZZUTO, V.M.		
RILEY, J.H.		
SANDLIN, N.B.		
SHEPLER, R.I.		
STEWART, D.L.		
SULLIVAN, M.T.		
SWANSON, F.R.		
WILKINSON, E.B.		
WILLIAMS, S. (ORG)		
WILSON, J. M.		
ZANE, J. O.		
YOCK, GH	X	
Yea, SM	X	
Flory, RC	X	
Wickert, R	X	
Quinn, R	X	
Burns, M.	X	
VCC		
E & W M	X	
CORRES CONTROL	x	x
TRAFFIC		

CLASSIFICATION:

UCNI	<input checked="" type="checkbox"/>	
UNCLASSIFIED	<input checked="" type="checkbox"/>	
CONFIDENTIAL		
SECRET		

AUTHORIZED CLASSIFIER

SIGNATURE
4/20/93 (UNU)
DATE

IN REPLY TO RFP CC NO:

AC ITEM STATUS
☐ OPEN ☐ CLOSED
☐ PARTIAL

LTR APPROVALS:

ORIG & TYPIST INITIALS

REVIEWED FOR CLASSIFICATION/UCNI
BY G. T. Ostried 82
DATE 8-11-93